

E-filed 4/23/08

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MARK HOUSTON,

No. C 07-00859 HRL

Plaintiff,

v.

**INTERIM ORDER REQUIRING
RESUBMISSION OF PROPOSED
FINDINGS AND CONCLUSIONS**

COUNTRY COACH, INC.,

Defendant.

The parties' previously submitted proposed findings of fact and conclusions of law are incomplete and unacceptably abbreviated. For example, Defendant only references the federal statute and makes no mention of its mitigation affirmative defense. Plaintiff says nothing about the amount of claimed damages. Also, neither one covers each of Plaintiff's proposed legal theories of liability. Finally, and most importantly, neither (1) individually identifies the disputed material facts which were the subject of evidence at trial, or (2) describes the evidence which supports the determination they wish the court to reach on the disputed material facts.

Counsel are directed to file revised revised findings and conclusions by May 2, 2008.

IT IS SO ORDERED.

Dated: 4/23/08


HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE

THIS SHALL CERTIFY THAT NOTICE WILL BE SENT TO:

Terry L. Baker tbaker@consumerlawgroup.net

Kevin J. Tully kevin@tullylaw.net, jeanine@tullylaw.net, julie@tullylaw.net

* Counsel are responsible for providing copies of this order to co-counsel who have not registered for e-filing.

Date: 4/23/08

KRO
Chambers of Magistrate Judge Howard R. Lloyd